

V. NAMES & ADDRESSES OF ATTORNEYS, SURETIES, ETC.

[illegible]

DATE DOCUMENT NO.		Yr.	Docket No.	Def.	MASTER DOCKET - MULTIPLE DEFENDANT CASE PROCEEDINGS DOCKET FOR SINGLE DEFENDANT	PAGE	OF	VI EXCLUDABLE DELAY		
								Start Date End Date	Ltr Code	Total Days
	91	00043	01							
(OPTIONAL) Show last names of defendants										
V. PROCEEDINGS										
					SMITH					
5/28/91	--				Wilm. - Judge Fox - Talley Taylor Ct. Reporter (NHCo.Crth). 1. WAIVER OF INDICTMENT - lc: USA, USPO, USM, FPD, J. Fox 2. CRIMINAL INFORMATION - lc: USA, USPO/PTS, USM, FPD, J. Fox 3. MEMORANDUM OF PLEA AGREEMENT - lc: USA, Judge Fox, USPO and FPD deft. sworn - comeptent Rule 11 Plea of guilty - ccnditional					
					4. ORDER SETTING CONDITONS OF RELEASE - PR bond w/no restr. (Fox, J) - cys. distr. SEN: 9/9/91 - Wilm. -9 A.M.				sr	
6/24/91	--				Original Order Setting conditions of Release filed 5/28/91 was amended to show conditions of release. (deft. initialed copy of original showing he understood conditions) - cys. re-distr. to all parties w/amendment.				sr	
8/23/91					ISSUED NOTICE TO APPEAR - set for sen. on 9/9/91 at Wilm. at 9 A.M. before Judge Fox - lc: USA and FPD				sr	
8/29/91	5.				AFFIDAVIT AND MTOION FOR HABEAS CORPUS AD PROSEQUENDUM FOR michael smith and WRIT - to be present on 9/9/91 at Wilmington for sentencing (Denson, M/J) Cr. OB#44, P. 141 - 5 cys. to USA				sr	
9/9/91	--				Wilm. - Judge Fox - Talley Taylor Ct. Reporter Sentencing - Objections to PSI - no evid. presented					
	6.				JUDGMENT IN A CRIMINAL CASE (offense after 11/1/87) \$50.00 special asseessment 60 months probation 1. reside in a ccc for a period of 8 mos. as a cond. of prob., pay subsistence as established by the center, and be given work release privilgges and abide by the rules. 2. complete 400 hours of community service work at comm. service placement as directed by the uspo 3. deposit \$50.00 per month in a savings account throughout his prob. period and not make w/drawal from this account w/o the approval of the USPO 4. not consume alcohol or use controlled subs. and shall part. in a subs. abuse treatment program which may include testing to determine whether the def. has reverted to the use of drugs or alcohol. No fine imposed No rest. imposed Stm. of reasons (Fox, J) Cr. OB# <u>44P 172</u> lc: def. USPO, FPD, Judge Fox, Fin. Sec., 2c: USA and 3c: ?USM (ent.)				sr	
					PSI in case file.					
10/11/91	--				Returned PSI to USPO					
5/1/92	1.				MOTION FOR MODIFICATION OF CONDITIONS OR PROBATION AND INC. MEM. OF LAW by def. 1 cy: Judge Fox				ag	

LETTER CODES

For identifying periods of excludable delay per 18 USC 3161 (h) (Sections in brackets)

A Exam or hearing for mental/physical incapacity (18 USC 4244) [(1) (A)]

B NARA exam (18 USC 2902) [(1) (B)]

C State/Fed. proceedings on other charges [(1) (D)]

D Interlocutory appeal [(1)(E)]

E Pretrial motion (from filing to hearing or to other prompt disposition) [(1)(F)]

F Transfer from other district per FRCP 20.21 or 40 or Mag. Rule 6e [(1)(G)]

G Proceedings under advisement, not to exceed 30 days, after all necessary submissions filed and hearings completed [(1)(H)]

H Misc. proceedings: arraignment, parole/probation, revocation, Deportation, extradition [(1)]

I Deferral of prosecution (per 28 USC 2902) [(1)(C)]

J Transportation from another district or to/from examination or hospitalization in 10 days or less [(1)(D)]

K Consideration by Court of proposed plea agreement [(1)(I)]

L Prosecution deferred by mutual agreement [(2)]

M Unavailability of defendant or essential witness [(3)(A,B)]

N Period of mental/physical incompetence of def. to stand trial [(4)]

O Period of NARA comminence/treatment [(5)]

P Superseding indictment and/or new charges [(6)]

R Def. awaiting trial of co-defendant & no severance has been granted [(7)]

T Continuance granted per (b)(6) use "T" alone if more than one of the following reasons (T1 thru T4) is given in support of continuance [(8)(A,B)]

T1 Failure to continue would stop further proceedings or result in miscarriage of justice [(8)(B,iii)]

T2 Case unusual or complex [(8)(B,iii)]

T3 Indictment/arrest can't be filed in 30 days [(8)(B,iv)]

T4 Continuance granted to obtain or substitute counsel, or give reasonable time to prepare [(8)(B,iv)]

U Time up to withdrawal guilty plea, 3161(i)

W Grand Jury indictment time extended 30 more days, 3161 (b)

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

U. S. vs SMITH, Michael

91-43-01-Cr-5

AO 256A

Yr. Docket No. Def.

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
	(Document No.)				
5/4/92	8. ORDER - motion for modification of conditions of probation allowed - time to reside in ccc is reduced to time already served which is 7 mos. (Fox, J) Crr OB#46, P. 131 lc: USA, USPO, USM, Mr. Starkweather (ent. 5/4/92)	sr			
8/2/93	9. MOTION FOR REVOCATION -offprobation - by USPO - lc: Judge Fox CJA 23 w/Proposed Order to M/J Denson for approval	sr	8/2/93 8/23/93		
8/3/93	10. ORDER - appointing the FPD (Denson, M/J) lc: FPD w/copy of Motion for REvocation, CJA 23 and note that Mr. Starkweather was originally in case and will be set for 8/23/93 at NB - 9 A.M. - lc: USA and USPO w/notefof 8/23 setting.	sr			
8/3/93	ISSUED NOTICE TO APPEAR - set for hr. on m/revocation on 8/23/93 at New Bern 9 A.M. before Judge Fox - lc: Judge Fox, USA, FPD, USPO, PTS, USM, New Bern Office,	sr			
8-13-93	11 NOTICE OF APPEARANCE:: Jeffrey L. Starkweather. cc: USA, J. Fox, USPO, PTS, J. Dixon.	vsc			
8/17/93	12. AMENDED MOTION FOR REVOCATION - by USPO - lc: Judge Fox	sr	8/17/93 8/23/93		
8/23/93	-- New Bern - Judge Fox - Lib Leonard Ct. Reporter Hearing on M/Revocation - motion allowed - deft. detained for 6 mos. - order to follow 13. JUDGMENT AND COMMITMENT - provation is revoked - deft. is committed to BOP for 6 mos. - Clerk to deliver 3cc to USM. (Fox, J) Cr. OB#52, P. 112 - lc: Judge Fox, 3c:USM, 4c: USPO, lc: Mr. Starkweather (ent. 8/30/93)	sr			
11/1/93	-- RETURN ON J&C filed 8/23/93 - deft. delivered 10/7/93 to FPC - Butner - Karen M. Spikes - Iname Sys. Mgr.	sr			

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